

*Wilmington, Delaware
Louis L. Redding
City/County Building
December 14, 2017*

Council met in regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Andrea Queen, Deputy Clerk.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Chukwuocha, Harlee, McCoy, Williams, Freel*, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Absent with leave, Council Members Congo, Oliver and Turner. Total, three.

MINUTES

After reading a portion of the minutes of December 7, 2017, upon a motion of Council Member Walsh, seconded by Council Member Williams, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Community Development & Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Nnamdi O. Chukwuocha	X		
Yolanda McCoy, Vice-Chair	X		
Ernest "Trippi" Congo, II	X		
Zanthia Oliver	X		
Va'Shun "Vash" Turner		X	
President Hanifa Shabazz, Ex Officio		X	

President and Members of Council of
The City of Wilmington

December 4, 2017

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Substitute No. 1 to Ordinance No. 17-040** entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE WILMINGTON CITY CODE RELATING TO PUBLIC NUISANCES

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of
Community and Economic Development Committee
/s/Rysheema Dixon, Chair
/s/Nnamdi O. Chukwuocha
/s/Yolanda McCoy, Vice-Chair
/s/Zanthia Oliver

Upon a motion of Council Member Dixon, seconded by Council Member Walsh, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Community Development & Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Nnamdi O. Chukwuocha	X		
Yolanda McCoy, Vice-Chair	X		
Ernest "Trippi" Congo, II	X		
Zanthia Oliver	X		
Va'Shun "Vash" Turner		X	
President Hanifa Shabazz, Ex Officio		X	

President and Members of Council of
The City of Wilmington

December 4, 2017

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Substitute No. 1 to Ordinance No. 17-041** entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE RELATING TO MANDATORY LANDLORD TRAINING AND RENTAL INSPECTIONS AS CONDITIONS FOR RENTAL BUSINESS LICENSES

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of
Community and Economic Development Committee
/s/Rysheema Dixon, Chair
/s/Nnamdi O. Chukwuocha
/s/Yolanda McCoy, Vice-Chair
/s/Zanthia Oliver

Upon a motion of Council Member Dixon, seconded by Council Member Walsh, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh, Chair	X		
Michelle Harlee	X		
Yolanda McCoy	X		
Charles M. "Bud" Freel		X	
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio		X	

President and Members of Council of
The City of Wilmington

December 11, 2017

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 17-051** entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE CITY
CODE TO ALLOW RETIRED FIREFIGHTERS TO SERVE
ON THE FIRE PENSION BOARD

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of
Public Safety Committee
/s/Loretta Walsh, Chair
/s/Michelle Harlee
/s/Yolanda McCoy
/s/Ciro E. Adams

Upon a motion of Council Member Walsh, seconded by Council Members Dixon and Williams, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh, Chair	X		
Michelle Harlee	X		
Yolanda McCoy	X		
Charles M. "Bud" Freel		X	
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio		X	

President and Members of Council of
The City of Wilmington

December 11, 2017

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 17-052** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE REGARDING THE PASSING OF MUNICIPAL VEHICLES ON CITY STREETS

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of
Public Safety Committee
/s/Loretta Walsh, Chair
/s/Michelle Harlee
/s/Yolanda McCoy
/s/Ciro E. Adams

Upon a motion of Council Member Walsh, seconded by Council Member Williams, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh, Chair	X		
Michelle Harlee	X		
Yolanda McCoy	X		
Charles M. "Bud" Freel		X	
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio		X	

President and Members of Council of
The City of Wilmington

December 11, 2017

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 17-053** entitled:

AN ORDINANCE TO AMEND CHAPTER 36 OF THE CITY
CODE TO REPEAL SECTION 36-9 THEREOF REGARDING
REGULATION OF ITINERANT PERFORMERS

Have given this Ordinance careful study and recommend Council vote on
it accordingly.

Respectfully submitted, Members of
Public Safety Committee
/s/Loretta Walsh, Chair
/s/Michelle Harlee
/s/Yolanda McCoy
/s/Ciro E. Adams

Upon a motion of Council Member Walsh, seconded by Council Member
Williams, the above Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report as of December 14, 2017, was read into
the record by City Clerk and upon a motion of Council Member Walsh, seconded by
Council Member Williams, the Report was received, recorded and filed. Motion
prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 6 to Page 7.

City of Wilmington
Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537
(302) 576-2480
treasurer@wilmingtonde.gov



City of Wilmington Treasurer's Report
as of December 14, 2017

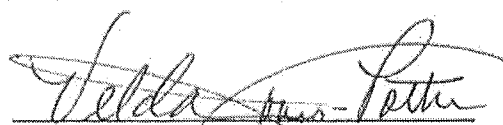
Cash on Hand:

General Account	M & T Bank	\$8,210,101.00
Central Deposit	M & T Bank	\$50,130.39
Payroll	M & T Bank	\$342,670.55
Total Petty Cash Accounts	M & T Bank	\$11,187.59
Grant-In-Aid	M & T Bank	\$231,734.67
Evidence/Found Currency Account	M & T Bank	\$924,978.49
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,537.55
Police Department Discretionary	M & T Bank	\$30,899.04
Pension Payroll Account	M & T Bank	\$36,457.86
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$34.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,072.18
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$201,721.61
Police Pension Account	M & T Bank	\$265,355.46
Fire Pension Account	M & T Bank	\$59,416.90
Worker's Comp 3rd Party Account	M & T Bank	\$32,264.20
Retiree Healthcare Account	M & T Bank	\$392,126.16
SubTotal		\$10,827,827.43
Total Cash on Hand		\$10,827,827.43

INVESTMENTS DECEMBER 14, 2017:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	TD	CD	12/20/2017	1.06%	\$6,183.33	\$2,000,000.00
General	TD	CD	12/28/2017	1.09%	\$7,342.36	\$2,500,000.00
General	WSFS	CD	12/28/2017	1.12%	\$4,234.52	\$2,000,000.00
General	WSFS	CD	1/4/2018	1.12%	\$6,443.84	\$3,000,000.00
General	TD	CD	1/11/2018	1.09%	\$8,402.08	\$2,500,000.00
General	WSFS	CD	1/18/2018	1.12%	\$8,208.22	\$2,500,000.00
General	WSFS	CD	2/1/2018	1.12%	\$9,282.19	\$2,500,000.00
General	TD	CD	2/1/2018	1.14%	\$6,586.67	\$2,000,000.00
General ¹	WSFS	CD	1/30/2018	1.25%	\$40,453.86	\$15,542,800.82
SUB-TOTAL:						\$34,542,800.82
CAPITAL FUND:						
Capital	TD	CD	4/26/2018	1.25%	\$126,388.89	\$20,000,000.00
Capital	TD	CD	1/25/2018	1.25%	\$11,284.25	\$6,590,000.00
Capital	WSFS	CD	1/25/2018	1.25%	\$11,592.47	\$6,770,000.00
SUB-TOTAL:						\$33,360,000.00
RISK MGMT:						
Risk Management	WSFS	CD	7/11/2018	1.25%	\$98,995.64	\$7,919,651.00
Worker's Comp	WSFS	CD	7/11/2018	1.25%	\$98,995.64	\$7,919,651.00
Retiree Medical Escrow	Vanguard-OPEB					\$19,350,759.00
SUB-TOTAL:						\$35,190,061.00
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	12/28/2017	1.15%	\$4,223.93	\$4,788,000.00
Fire Pension	WSFS	CD	12/28/2017	1.15%	\$249.32	\$282,625.00
Fire Pension	WSFS	CD	12/28/2017	1.15%	\$686.34	\$778,000.00
Police Pension	WSFS	CD	12/28/2017	1.12%	\$518.65	\$734,900.00
Escrow Pension	Edgar Lomax					\$22,469,804.00
Escrow Pension	Vanguard Fixed					\$37,864,449.00
Escrow Pension	Earnest Partners					\$23,483,272.00
Escrow Pension	Wilmington Trust					\$37,502,750.00
Escrow Pension	Vanguard Stock Index					\$41,664,956.00
Escrow Pension	Artisan Global					\$7,903,670.00
Escrow Pension	Dodge & Cox					\$10,959,551.00
Escrow Pension	Fidelity					\$19,263,815.00
Escrow Pension	Harding Loevner					\$8,100,571.00
Escrow Pension	MFS Management					\$22,561,355.00
SUB-TOTAL:						\$238,357,718.00
OTHER:						
Deferred Comp.	MassMutual					\$46,599,194.80
Total Investments						\$388,049,774.62
Total Cash on Hand						\$10,827,827.43
Grand Total						\$398,877,602.05

¹ Budget Reserve


 Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Walsh, seconded by Council Member Dixon, the following non-legislative resolutions were accepted into the record and motion prevailed:

Shabazz	Commend Delaware State University President Harry L. Williams
Shabazz	Sympathy Lucille B. Jacobs
Turner	Sympathy Andrew Eugene "Drew" Pennewell
Williams	Recognize Kaamilah Diabaté
Williams	Sympathy Wilmington Police Inspector John W. Johnson (Retired)

LEGISLATIVE BUSINESS

President Shabazz: Council Member Chukwuocha.

Council Member Chukwuocha: Nothing tonight Madam President. Thank you.

President Shabazz: Council Member Harlee.

Council Member Harlee: Yes, thank you Council President. I have Ordinance 4461 to present and call for the first and second reading.

Council Member Harlee presented and called for the first and second reading Ordinance No. 17-054 (Agenda #4461) entitled:

AN ORDINANCE TO ENACT CERTAIN PARKING
REGULATIONS

The above Ordinance was given two separate readings by title only and upon a motion of Council Member Harlee, seconded by Council Member Walsh, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Council Member Harlee: That's all I have. Thank you.

President Shabazz: Thank you. Council Member McCoy.

Council Member McCoy: Nothing tonight Madam President.

President Shabazz: Council Member Williams.

Council Member Williams: Madam President, I have an Ordinance to present and call for the third and final reading.

Council Member Williams presented and called for the third and final reading Ordinance No. 17-051 (Agenda #4449) entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE
CITY CODE TO ALLOW RETIRED FIREFIGHTERS
TO SERVE ON THE FIRE PENSION BOARD

Upon a motion of Council Member Williams, seconded by Council Member Walsh, the above Ordinance was before the Council for its consideration. Council Member Williams spoke on the purpose of the Ordinance. Council Member Guy raised a question and Council Member Williams responded.

President Shabazz moved for the Clerk to call the roll.

The Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, nine. Nays, none. Absent, Council Members Congo, Oliver, Turner and Freel. Total, four.

President Shabazz: Declare it adopted.

Council Member Williams: Madam President, I have an Ordinance to present and call for the third and final reading.

Council Member Williams presented and called for the third and final reading Ordinance No. 17-052 (Agenda #4459) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE REGARDING THE PASSING OF
MUNICIPAL VEHICLES ON CITY STREETS

Upon a motion of Council Member Williams, seconded by Council Member Walsh, the above Ordinance was before the Council for its consideration. Council Member Williams spoke on the purpose of the Ordinance. Council Member Guy made some comments.

President Shabazz: Could you mark Councilman Freel present please?

Mrs. Seijo (City Clerk): So noted.

****Note: At this time, Councilman Freel was marked present.***

President Shabazz moved for the Clerk to call the roll.

The Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Congo, Oliver and Turner. Total, three.

President Shabazz: Declare it adopted.

Council Member Williams: Madam President, I have Resolution to present.

Council Member Williams presented Resolution No. 17-093 (Agenda #4462) as follows:

WHEREAS, on September 24, 2016, the Wilmington Fire Department's bravest – including Captain Christopher Leach, Lieutenant Jerry Fickes, Jr. and Lieutenant Ardythe Hope – answered the call of duty, setting aside all concerns for their own safety and rushing into a blazing house fire attempting to save the lives of others they believed to be trapped; and

WHEREAS, Captain Leach and Lieutenant Fickes were killed in the line of duty on September 24, 2016, and Lieutenant Hope, after courageously fighting for her life, ultimately succumbed to her injuries on December 1, 2016; and

WHEREAS, Firefighter Brad Speakman was seriously injured in the fire, and is still recovering; and

WHEREAS, the house destroyed by the fire has been demolished, and the lot has remained vacant; and

WHEREAS, this location is considered hallowed ground to the members of the Wilmington Fire Department and the families of those whose lives were tragically lost; and

WHEREAS, the Wilmington Professional Firefighters Union, Local 1590 is seeking to secure the property as a permanent memorial of the courageous sacrifices of its members.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council supports efforts by the Wilmington Professional Firefighters Union, Local 1590 to preserve the property located at 1927 Lakeview Road as a permanent memorial to the fallen heroes, Captain Christopher Leach, Lieutenant Jerry Fickes, Jr., and Lieutenant Ardythe Hope, who gave their lives for the City they loved.

Upon a motion of Council Member Williams, seconded by Council Member Walsh, the above Resolution was before the Council for its consideration. Council Member Williams spoke on the purpose of the Resolution.

President Shabazz moved for the Clerk to call the roll.

The Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Congo, Oliver and Turner. Total, three.

President Shabazz: Declare it adopted.

Council Member Williams: Nothing further ma'am.

President Shabazz: Thank you. Council Member Freel.

Council Member Freel: Yes, I have two Ordinances for third and final.

Council Member Freel presented and called for the third and final reading Ordinance No. 17-040 (Agenda #4425) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
WILMINGTON CITY CODE RELATING TO PUBLIC
NUISANCES

Council Member Freel: Madam President, I have a **Substitute** to present in lieu of that ordinance:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
WILMINGTON CITY CODE RELATING TO PUBLIC
NUISANCES

Upon a motion of Council Member Freel, seconded by Council Member Walsh, the above Substitute Ordinance was before the Council for its consideration. Council Member Freel spoke on the purpose of the Ordinance.

President Shabazz moved for the Clerk to call the roll.

The **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Congo, Oliver and Turner. Total, three.

President Shabazz: Declare it adopted.

Council Member Freel presented and called for the third and final reading Ordinance No. 17-041 (Agenda #4426) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE RELATING TO MANDATORY
LANDLORD TRAINING AS A CONDITION FOR
RENTAL BUSINESS LICENSES

Council Member Freel: Madam President, I have a **Substitute** to present in lieu of that ordinance:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE RELATING TO MANDATORY
LANDLORD TRAINING AND RENTAL INSPECTIONS
AS CONDITIONS FOR RENTAL BUSINESS
LICENSES

Upon a motion of Council Member Freel, seconded by Council Members Williams and Walsh, the above Substitute Ordinance was before the Council for its consideration. Council Member Freel spoke on the purpose of the Ordinance.

President Shabazz moved for the Clerk to call the roll.

The **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Congo, Oliver and Turner. Total, three.

Council Member Freel: That's all I have. Thank you.

President Shabazz: Declare it adopted. Council Member Adams.

Council Member Adams: I have no legislation tonight.

President Shabazz: Council Member Dixon.

Council Member Dixon: Nothing tonight Madam President.

President Shabazz: Council Member Guy.

Council Member Guy: Nothing tonight Madam Chair.

President Shabazz: Council Member Walsh.

Council Member Walsh: Yes Madam President, I have an Ordinance and a Resolution.

Council Member Walsh presented and called for the third and final reading Ordinance No. 17-053 (Agenda #4460) entitled:

AN ORDINANCE TO AMEND CHAPTER 36 OF THE
CITY CODE TO REPEAL SECTION 36-9 THEREOF
REGARDING REGULATION OF ITINERANT
PERFORMERS

Upon a motion of Council Member Walsh, seconded by Council Member Williams, the above Ordinance was before the Council for its consideration. Council Member Walsh spoke on the purpose of the Ordinance.

President Shabazz moved for the Clerk to call the roll.

The Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Congo, Oliver and Turner. Total, three.

President Shabazz: Declare it adopted.

Council Member Walsh presented Resolution No. 17-094 (Agenda #4463) as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Collective Bargaining Agreement between the CITY OF WILMINGTON AND THE FRATERNAL ORDER OF POLICE LODGE #1 RANK AND FILE for the term of July 1, 2016 through June 30, 2020, a copy of which is attached hereto and made a part hereof, is hereby approved, and the Mayor and City Clerk are hereby authorized to execute as many copies of said Agreement as may be necessary.

Note: A copy of the Agreement is on file in the City Council Office.

Upon a motion of Council Member Walsh, seconded by Council Member Freel, the above Resolution was before the Council for its consideration. Council Member Walsh spoke on the purpose of the Resolution.

President Shabazz moved for the Clerk to call the roll.

The Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Harlee, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Congo, Oliver and Turner. Total, three.

President Shabazz: Declare it adopted.

PETITIONS AND COMMUNICATIONS

Council Members thanked residents for participating in events throughout the districts. In addition, the Council staff as well as Council Members were thanked and acknowledged. Council Members announced community events/activities throughout the districts. In addition, Council Members expressed best wishes to all for the upcoming holiday.

ADJOURNMENT

Upon a motion of Council Member Walsh, seconded by Council Member Freel, Council adjourned at 7:23 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk